

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE

AT JACKSON

DECEMBER SESSION, 1997

FILED

January 23, 1998

02C01-9701-CC-00037

Cecil Crowson, Jr.
Appellate Court Clerk

STATE OF TENNESSEE,)

Appellee,)

VS.)

GEORGE E. WOODS,)

Appellant.)

C.C.A. NO. 02C01-9701-CC-00037

NO. 5970 BELOW

HARDEMAN COUNTY

HON. JON KERRY BLACKWOOD
JUDGE

ORDER

_____Appellant was convicted upon pleas of guilty to driving on a revoked license and speeding. He was tried by a jury and acquitted of charges that he possessed over .5 grams of cocaine. For the driving on a revoked license conviction, Appellant was sentenced to three months incarceration in the county jail with 75% service required; he was also fined \$50. Appellant was also fined \$25 for speeding. On appeal Appellant contends the trial court erred in denying him probation or allowing him to serve his sentence on house arrest. After a review of the record we are of the opinion that the judgment of the trial court should be affirmed pursuant to Rule 20, Rules of the Court of Criminal Appeals.

The record reflects that Appellant has an extensive record of citations for motor vehicle offenses including violations of the registration law, driving without a license, improper vehicle license, and speeding. In addition in June, 1988, Appellant was convicted of felonious possession of marijuana and served 45 days with the balance of a three year sentence suspended. While on probation

for the marijuana conviction Appellant was found guilty of cocaine possession. In January, 1992, Appellant was again convicted of cocaine possession and placed on probation.

It is obvious that Appellant has generally disregarded this state's drug and motor vehicle laws. Prior probationary periods have not deterred Appellant's continued criminal activity. Under these circumstances we find no error in the denial of a suspended sentence or other alternative sentence.

Accordingly, the judgment of the trial court is affirmed pursuant to Rule 20, Rules of the Court of Criminal Appeals.

JERRY L. SMITH, JUDGE

CONCUR:

JOE B. JONES, PRESIDING JUDGE

J. CURWOOD WITT, JR., JUDGE